



General Assembly

February Session, 2012

***Raised Bill No. 5391***

LCO No. 1765

\*01765\_\_\_\_\_PS\_\*

Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

***AN ACT ESTABLISHING AN INSURANCE AND VEHICLE  
REGISTRATION VERIFICATION SYSTEM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2012*) As used in sections 2 to 7,  
2 inclusive, of this act:

3 (1) "COLLECT system" means the Connecticut On-Line Law  
4 Enforcement Communications Teleprocessing System;

5 (2) "Commissioner" means the Commissioner of Motor Vehicles;

6 (3) "Department" means the Department of Motor Vehicles;

7 (4) "Financial responsibility" means the ability to satisfy the  
8 requirements established in section 38a-371 of the general statutes;

9 (5) "NLETS" means the National Law Enforcement  
10 Telecommunications System; and

11 (6) "Noninvasive" means not containing or displaying personal  
12 identifying information including a name and address.

13       Sec. 2. (NEW) (*Effective October 1, 2012*) (a) The Commissioner of  
14       Emergency Services and Public Protection or the commissioner's  
15       designee shall contract with a third party no later than ninety days  
16       after the effective date of this section to implement an electronic  
17       automobile and commercial vehicle liability insurance confirmation  
18       and compliance system in the state that shall include the following:

19       (1) A system to make both interstate and intrastate vehicle insurance  
20       and registration status available to law enforcement agencies for  
21       automated query at any time through NLETS and which is fully  
22       interfaced with the COLLECT system and which is in turn linked to  
23       the Department of Motor Vehicles;

24       (2) A system to make available to the Commissioner of Motor  
25       Vehicles by use of current connections only so as to require no  
26       modification to existing or planned systems of the department, a  
27       financial responsibility verification system for use when an individual  
28       or entity registers a vehicle pursuant to part III of chapter 246 of the  
29       general statutes, such system to be accessed through the department's  
30       current connection with the COLLECT system or directly through the  
31       Internet or a combination of both when and in the manner as the  
32       commissioner may determine;

33       (3) A system to provide automobile and commercial vehicle  
34       insurance information to emergency medical service providers;

35       (4) A verification system to provide courts with financial  
36       responsibility status for the court date, the summons date and the date  
37       prior to the summons date and a history of the vehicle's periods of  
38       coverage, regarding both intrastate and whenever possible, interstate  
39       vehicles identified as noncompliant;

40       (5) An automatic license plate recognition system to electronically  
41       capture license plate images in two seconds or less and noninvasively  
42       attempt verification of the insurance and, when possible, the  
43       registration status of the vehicle. If the vehicle is covered under an

44 automobile insurance policy or properly registered or there is no  
45 conclusive proof of noncompliance as determined by a law  
46 enforcement officer, the automatic license plate recognition system  
47 shall erase the record of the vehicle's license plate within one minute;

48 (6) A system to provide secure postal notification, telephone and  
49 internet-based help desk, verification and secure collection services for  
50 the state regarding summonses issued by the system;

51 (7) A system that provides secure, dedicated, electronic portals with  
52 appropriate information for authorized users as determined by the  
53 commissioner; and

54 (8) A system that provides a help desk service with live operators  
55 but also a facsimile service and Internet-based response service so that  
56 summonses can be challenged and any errors corrected.

57 (b) All costs, including, but not limited to, development,  
58 manufacture, implementation, maintenance, operation and purchasing  
59 shall be the burden of the third party and not the state.

60 Sec. 3. (NEW) (*Effective October 1, 2012*) (a) Each insurer that  
61 delivers, issues for delivery, or renews automobile and commercial  
62 vehicle liability insurance policies in this state shall furnish to NLETS  
63 acting for the department, on at least a daily basis, all of the following  
64 information concerning vehicles owned by any persons or entities to  
65 whom it issued such policies of insurance on the previous day and for  
66 whom or which any persons or entities on the previous day cancelled  
67 such policies or allowed such policies to lapse through failure to pay  
68 the premium due or for whom or which such policies were otherwise  
69 cancelled or suspended by such insurer:

70 (1) The effective or termination date of the policy;

71 (2) The policy number;

72 (3) The vehicle identification number or, if a commercial policy, the

73 asset identification number or United States Department of  
74 Transportation number, of the vehicle covered under the policy;

75 (4) The make, model and model year of the vehicle covered under  
76 the policy;

77 (5) The zip code of residence of the policyholder, but no other name  
78 or address elements;

79 (6) Any lien holder identified in the policy or the federal lien holder  
80 identification number;

81 (7) The level of insurance coverage expressed in the following  
82 categories: Liability, comprehensive, collision and uninsured motorist  
83 coverage;

84 (8) Any other file elements as determined to be advantageous by the  
85 insurer; and

86 (9) Any other file elements determined to be necessary by the  
87 commissioner.

88 (b) The Insurance Commissioner and the Commissioner of Motor  
89 Vehicles shall require insurers to submit the information required  
90 under subsection (a) of this section to the Department of Motor  
91 Vehicles and to NLETS by electronic means or, in the case of a small  
92 insurer with fewer than ten thousand policies, by either facsimile or  
93 electronic spreadsheet as such small insurer may choose.

94 (c) The state shall incur no liability concerning the accuracy of any  
95 insurance policy data reported pursuant to this section.

96 Sec. 4. (NEW) (*Effective October 1, 2012*) The Commissioner of Motor  
97 Vehicles shall adopt regulations in accordance with chapter 54 of the  
98 general statutes to implement sections 1 to 7, inclusive, of this act  
99 including the method insurers must use to submit information to the  
100 department and to NLETS under subsection (a) of section 3 of this act

101 and which may include the use of the web site enabled standard of the  
102 Insurance Industry Committee on Motor Vehicle Administration,  
103 provided no privacy data is used to obtain information and actual  
104 status is provided.

105 Sec. 5. (NEW) (*Effective October 1, 2012*) (a) Except as expressly  
106 provided in sections 1 to 7, inclusive, of this act, all prosecutions based  
107 on evidence produced by the confirmation and compliance system  
108 shall follow the procedures set forth in section 51-164n of the general  
109 statutes, as amended by this act. A summons shall be issued by a law  
110 enforcement officer solely based on evidence obtained by use of a live  
111 digital video vehicle confirmation and compliance system. All  
112 summonses issued based on evidence obtained from a live digital  
113 video vehicle confirmation and compliance system shall be issued  
114 within seven days of the violation.

115 (b) Evidence obtained from a live digital video vehicle confirmation  
116 and compliance system shall be sufficient to commence a prosecution.  
117 A copy of the summons and supporting documentation shall be  
118 mailed to the address of the registered owner kept on file by the  
119 department. For purposes of this section, the date of issuance shall be  
120 the date of mailing.

121 (c) The law enforcement officer issuing the summons shall certify  
122 under penalties of perjury that the evidence obtained from the live  
123 digital video vehicle confirmation and compliance system was  
124 sufficient to demonstrate a violation of subdivision (2) of subsection (a)  
125 of section 14-12 of the general statutes, as amended by this act, or  
126 subsection (a) of section 14-213b of the general statutes, as amended by  
127 this act. Such certification shall be sufficient in all prosecutions  
128 pursuant to sections 1 to 7, inclusive, of this act to justify the entry of a  
129 default judgment upon sufficient proof of actual notice in all cases  
130 where the summons is not answered within the time period permitted.

131 (d) The summons shall contain the date, time and location of the  
132 violation and all other required information. In addition, the following

133 information shall be attached to or accompany the summons:

134 (1) Copies of two or more photographs, or microphotographs,  
135 videos, or other enforcement information approved by the officer that,  
136 based on inspection of the recorded images, the motor vehicle was  
137 being operated in violation of subdivision (2) of subsection (a) of  
138 section 14-12 of the general statutes, as amended by this act, or  
139 subsection (a) of section 14-213b of the general statutes, as amended by  
140 this act;

141 (2) A signed statement that recorded images is evidence of a  
142 violation of subdivision (2) of subsection (a) of section 14-12 of the  
143 general statutes, as amended by this act, or subsection (a) of section 14-  
144 213b of the general statutes, as amended by this act;

145 (3) A statement that the person who receives the summons under  
146 sections 1 to 7, inclusive, of this act may follow the procedure set forth  
147 in section 51-164n of the general statutes, as amended by this act;

148 (4) A signed affidavit by a person who witnessed the motor vehicle  
149 being operated in violation of subdivision (2) of subsection (a) of  
150 section 14-12 of the general statutes, as amended by this act, or  
151 subsection (a) of section 14-213b of the general statutes, as amended by  
152 this act, as he or she reviewed the recorded images;

153 (5) The contact telephone numbers, addresses and both facsimile  
154 and Internet addresses to provide proof of compliance along with a  
155 statement of procedures and confirmation that the record will be  
156 modified should proper proof be provided and pending charges  
157 dismissed; and

158 (6) A signed statement certified under the penalties of perjury by a  
159 trained law enforcement officer that the summons and attachments  
160 required under this subsection were mailed to the address of the  
161 registered owner kept on file by the department.

162 (e) Any summons issued pursuant to this section shall be issued by

163 a sworn law enforcement officer.

164       Sec. 6. (NEW) (*Effective October 1, 2012*) In all prosecutions of  
165 violations of subdivision (2) of subsection (a) of section 14-12 of the  
166 general statutes, as amended by this act, and subsection (a) of section  
167 14-213b of the general statutes, as amended by this act, based on  
168 evidence obtained from a live digital video vehicle confirmation and  
169 compliance system as provided under sections 1 to 7, inclusive, of this  
170 act, the registered owner of the vehicle shall be responsible for such  
171 violation, even if the registered owner was not the operator of the  
172 vehicle at the time of the violation.

173       Sec. 7. (NEW) (*Effective October 1, 2012*) (a) The state shall not pay  
174 the cost of the implementation and administration of the electronic  
175 verification system established by sections 1 to 6, inclusive, of this act.

176       (b) Only the revenue generated by the fines imposed through the  
177 use of the license plate recognition system specified in subdivision (5)  
178 of subsection (a) of section 2 of this act shall be shared equally by the  
179 state and the third party.

180       Sec. 8. Subsection (a) of section 14-12 of the 2012 supplement to the  
181 general statutes is repealed and the following is substituted in lieu  
182 thereof (*Effective October 1, 2012*):

183       (a) No motor vehicle shall be operated or towed on any highway,  
184 except as otherwise expressly provided, unless it is registered with the  
185 commissioner, provided any motor vehicle may be towed for repairs  
186 or necessary work if it bears the markers of a licensed and registered  
187 dealer, manufacturer or repairer and provided any motor vehicle  
188 which is validly registered in another state may, for a period of sixty  
189 days following establishment by the owner of residence in this state, be  
190 operated on any highway without first being registered with the  
191 commissioner. Except as otherwise provided in this subsection, (1) a  
192 person commits an infraction if such person registers a motor vehicle  
193 he or she does not own, [or if such] (2) a person who operates, or

194 allows the operation of, an unregistered motor vehicle on a public  
 195 highway shall be fined (A) for the first offense, three hundred fifty  
 196 dollars, (B) for the second offense, six hundred dollars, and (C) for any  
 197 subsequent offense, seven hundred fifty dollars, or [(2)] (3) a resident  
 198 of this state who operates a motor vehicle he or she owns with marker  
 199 plates issued by another state shall be fined one thousand dollars. If  
 200 the owner of a motor vehicle previously registered on an annual or  
 201 biennial basis, the registration of which expired not more than thirty  
 202 days previously, operates or allows the operation of such a motor  
 203 vehicle, such owner shall be fined the amount designated for the  
 204 infraction of failure to renew a registration, but the right to retain his  
 205 or her operator's license shall not be affected. No operator other than  
 206 the owner shall be subject to penalty for the operation of such a  
 207 previously registered motor vehicle. As used in this subsection, the  
 208 term "unregistered motor vehicle" includes any vehicle that is not  
 209 eligible for registration by the commissioner due to the absence of  
 210 necessary equipment or other characteristics of the vehicle that make it  
 211 unsuitable for highway operation, unless the operation of such vehicle  
 212 is expressly permitted by another provision of this chapter or chapter  
 213 248.

214 Sec. 9. Section 14-213b of the general statutes is repealed and the  
 215 following is substituted in lieu thereof (*Effective October 1, 2012*):

216 (a) No owner of any private passenger motor vehicle or a vehicle  
 217 with a combination or commercial registration, as defined in section  
 218 14-1, registered or required to be registered in this state may operate or  
 219 permit the operation of such vehicle without the security required by  
 220 section 38a-371 or with security insufficient to meet the minimum  
 221 requirements of said section, or without any other security  
 222 requirements imposed by law, as the case may be. Failure of the  
 223 operator to produce an insurance identification card as required by  
 224 section 14-217 shall constitute prima facie evidence that the owner has  
 225 not maintained the security required by section 38a-371 and this  
 226 section.



227 (b) [Any] (1) Except as provided in subdivision (2) of this  
 228 subsection, any person convicted of violating any provision of  
 229 subsection (a) of this section shall be fined [not less than one hundred  
 230 dollars or more than one thousand dollars, except that any] (A) for the  
 231 first offense, three hundred fifty dollars, (B) for the second offense, six  
 232 hundred dollars, and (C) for any subsequent offense, seven hundred  
 233 fifty dollars.

234 (2) Any owner of a motor vehicle with a commercial registration  
 235 who knowingly violates the provisions of subsection (a) of this section  
 236 with respect to such vehicle shall be guilty of a class D felony.

237 (c) The Commissioner of Motor Vehicles shall suspend the  
 238 registration, and the operator's license, if any, of an owner, for a first  
 239 conviction of violating the provisions of subsection (a) of this section  
 240 for a period of one month and for a second or subsequent conviction  
 241 for a period of six months. No operator's license which has been  
 242 suspended pursuant to this subsection shall be restored until the  
 243 owner has provided evidence to the commissioner that he maintains  
 244 the security required by section 38a-371 or any other security  
 245 requirements imposed by law for each motor vehicle registered in his  
 246 name.

247 Sec. 10. Subsection (b) of section 51-164n of the 2012 supplement to  
 248 the general statutes is repealed and the following is substituted in lieu  
 249 thereof (*Effective October 1, 2012*):

250 (b) Notwithstanding any provision of the general statutes, any  
 251 person who is alleged to have committed (1) a violation under the  
 252 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
 253 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198,  
 254 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g, subdivision  
 255 (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section  
 256 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-  
 257 115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or  
 258 13a-253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-

259 292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,  
260 subsection (a), (b) or (c) of section 13b-412, section 13b-414, subdivision  
261 (2) of subsection (a) and subsection (d) of section 14-12, as amended by  
262 this act, section 14-20a or 14-27a, subsection (e) of section 14-34a,  
263 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,  
264 subsection (b) of section 14-66, section 14-66a, 14-66b or 14-67a,  
265 subsection (g) of section 14-80, subsection (f) of section 14-80h, section  
266 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-  
267 163b, a first violation as specified in subsection (f) of section 14-164i,  
268 subdivision (1) of subsection (b) of section 14-213b, as amended by this  
269 act, section 14-219 as specified in subsection (e) of said section,  
270 subdivision (1) of section 14-223a, section 14-240, 14-249, 14-250 or 14-  
271 253a, subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a,  
272 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of section 14-  
273 283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321, 14-325a,  
274 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a,  
275 section 15-33, subsection (a) of section 15-115, section 16-256, 16-256e,  
276 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24,  
277 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137  
278 or 17b-734, subsection (b) of section 17b-736, section 19a-30, 19a-33,  
279 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-  
280 105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-  
281 297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-  
282 425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e,  
283 section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47,  
284 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30, subsection (a) of  
285 section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b)  
286 of section 21a-79, section 21a-85, 21a-154 or 21a-159, subsection (a) of  
287 section 21a-279a, section 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35,  
288 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54,  
289 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-  
290 318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b), (e) or (f) of  
291 section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415,  
292 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e) of

293 section 22a-256h, section 22a-381d, 22a-449, 22a-461, 23-37, 23-38, 23-46  
 294 or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-  
 295 19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79,  
 296 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-  
 297 207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-  
 298 143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-  
 299 161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277,  
 300 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,  
 301 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,  
 302 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48,  
 303 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-  
 304 69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134,  
 305 subsection (i) of section 31-273, section 31-288, 36a-787, 42-230, 45a-450,  
 306 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section  
 307 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16 or 53-133, or  
 308 section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-  
 309 321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation under the  
 310 provisions of chapter 268, or (3) a violation of any regulation adopted  
 311 in accordance with the provisions of section 12-484, 12-487 or 13b-410,  
 312 or (4) a violation of any ordinance, regulation or bylaw of any town,  
 313 city or borough, except violations of building codes and the health  
 314 code, for which the penalty exceeds ninety dollars but does not exceed  
 315 two hundred fifty dollars, unless such town, city or borough has  
 316 established a payment and hearing procedure for such violation  
 317 pursuant to section 7-152c, shall follow the procedures set forth in this  
 318 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	New section
Sec. 2	<i>October 1, 2012</i>	New section
Sec. 3	<i>October 1, 2012</i>	New section
Sec. 4	<i>October 1, 2012</i>	New section
Sec. 5	<i>October 1, 2012</i>	New section
Sec. 6	<i>October 1, 2012</i>	New section

Sec. 7	<i>October 1, 2012</i>	New section
Sec. 8	<i>October 1, 2012</i>	14-12(a)
Sec. 9	<i>October 1, 2012</i>	14-213b
Sec. 10	<i>October 1, 2012</i>	51-164n(b)

***Statement of Purpose:***

To establish an insurance and vehicle registration system that would use cameras to detect vehicles that are uninsured or unregistered and assess fines on the owners of such vehicles.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*